

INDEPENDENT

# The Labor Advocate

"A PAPER WITHOUT A MUZZLE" FOR ALL WHO TOIL.

NON-PARTISAN

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One Dollar a Year

## Not Controlled by Willis

**Hon. E. C. Turner, Attorney General of Ohio, Filed Suit to Oust the Liability "Turkey Buzzards."**

**Turner Says: "Taggart Had No Right to Destroy the Workman's Compensation Act By Issuing Licenses to Liability Companies." One Member of the Willis Administration that is Fair to Union Labor, and Not Controlled by his "Fraudulency."**

COLUMBUS, O.—Attorney General Turner last Saturday filed suit in Supreme Court to oust the twenty-one companies writing employers' liability insurance in Ohio in competition with the State Industrial Commission, the controlling body of the State insurance fund created under the Workmen's Compensation Act. Turner alleges that the corporations are unlawfully writing this class of insurance, and this despite a ruling of State Insurance Commissioner Taggart allowing them to do this business.

When called upon by a representative of the Labor Advocate and requested to make a statement regarding the suits mentioned, Mr. Turner contented himself with the declaration that "it is hardly ethical for a lawyer to attempt to try his causes through the public press, and for that reason I feel that I would prefer not to make any statement beyond saying that it is my intention to press these cases to a speedy determination."

The petition which Mr. Turner has filed with the Supreme Court states that the twenty-one defendants have been doing business since the 24th day of August, 1915, and it will be recalled that just prior to this date Mr. Taggart, Insurance Commissioner, agreed to issue licenses to liability concerns. The petition of the Attorney General states that these concerns have been and are doing business in defiance of law, thus taking direct issue with Insurance Commissioner Taggart.

The following liability insurance concerns are mentioned, separate suits being filed against each. It is understood that the Supreme Court will rule on these suits collectively, as all are based upon the assumption that the Workman's Compensation Act is legal, and that failure to find in favor of the Attorney General's contention in one case will nullify the others and practically declare the entire act unconstitutional.

The liability insurance companies are: Fidelity & Deposit Co. of Maryland, Preferred Accident Insurance Company of New York, Aetna Accident and Liability Company, Franklin General Insurance Company, Prudential Casualty Company, Fidelity and Casualty Company, Casualty Company of America, Standard Accident Insurance Company, Hartford Accident and Indemnity Company, Union Casualty Insurance Company, General Accident, Fire and Life Assurance Corporation, Ocean Accident and Guarantee Corporation, Maryland Casualty Company, London Guarantee and Accident Company, Travelers' Insurance Company, Royal Indemnity Company, Aetna Life Insurance Company, United States Fidelity and Guarantee Company, United States Casualty Company, Employers' Liability Assurance Corporation and the Globe Indemnity Company.

The petition of Attorney General Turner is as follows:

IN THE SUPREME COURT OF OHIO.

The State of Ohio, on the relation of Edward C. Turner, Attorney-General, Plaintiff,

vs.

Maryland Casualty Company of Maryland, Defendant.

PETITION IN QUO WARRANTO

Edward C. Turner, as Attorney General of Ohio, comes and gives the Court here to understand and be informed that the defendant is, and ever since the 9th day of February, 1898, has been a corporation, formed, organized and existing, under the laws of the State of Maryland.

That said defendant has continuously, since the 24th day of August, 1915, exercised franchises, privileges and rights within this State, in contravention of the laws of this State, in the following matters and particulars, to-wit:

First: It has continuously since the date last aforesaid, undertaken and carried on and still does undertake, carry on and transact, the business of writing and making, and does write and make, insurance to indemnify employers of persons against loss for damage for personal injury or death, resulting



HON. E. C. TURNER

Attorney General of Ohio Who Has Taken Up the Fight to Save the Workmen's Compensation.

from accidents to employees who elect, and who are duly authorized, to pay the compensation and furnish the medical, surgical, nursing, hospital attention, services, medicine and funeral expenses, directly to injured employees or to the dependents of killed employees, provided for in the act passed February 26, 1913, approved March 14, 1913, entitled "An act to further define the powers, duties and jurisdiction of the State Liability Board of Awards with reference to the collection, maintenance and disbursement of the State Insurance Fund for the benefit of injured, and the dependents of killed employees, and requiring contribution thereto by employers, and to repeal Sections 1465-42, 1465-43, 1465-45, 1465-46, 1465-53, 1465-54, 1465-55, 1465-56, 1465-57, 1465-58, 1465-59, 1465-60, 1465-61, 1465-62, 1465-63, 1465-64, 1465-65, 1465-66, 1465-67, 1465-68, 1465-69, 1465-70, 1465-71, 1465-72, 1465-73, 1465-74, 1465-75, 1465-76, 1465-77, 1465-78, 1465-79, of the General Code" (103 Ohio L. 72); and the act passed February 6, 1914, approved February 17, 1914, entitled, "An act to amend Section 29 of an act of the General Assembly of Ohio passed February, 1913, approved March 14, 1913, and filed in the office of the Secretary of State of Ohio, March 18, 1913, entitled, "An act to further define the powers, duties and jurisdiction of the State Liability Board of Awards with reference to the collection, maintenance, and disbursement of the State Insurance Fund for the benefit of injured, and the dependents of killed employees and requiring contribution thereto by employers, and to repeal Sections 1465-42, 1465-43, 1465-45, 1465-46, 1465-53, 1465-54, 1465-55, 1465-56, 1465-57, 1465-58, 1465-59, 1465-60, 1465-61, 1465-62, 1465-63, 1465-64, 1465-65, 1465-66, 1465-67, 1465-68, 1465-69, 1465-70, 1465-71, 1465-72, 1465-73, 1465-74, 1465-75, 1465-76, 1465-77, 1465-78, 1465-79, of the General Code." (104 Ohio L. 193.)

Second: It has continuously, since the date last aforesaid, undertaken and carried on, and still does undertake, carry on and transact the business of writing and making, and does write and make, insurance to indemnify employers of persons against loss or damage

for personal injury or death, resulting from accidents to employees by the willful act of such employer, or any of his officers or agents, or because of the failure of such employer, his officers or agents, to observe any lawful requirement for the safety of employees.

Wherefore relator prays that the defendant be ousted from undertaking, carrying on or transacting the business of writing or making, and from writing or making, within this State, insurance to indemnify employers against loss or damage for personal injury or death resulting from accident to employees, who elect, and who are duly authorized, to pay the compensation and furnish the medical, surgical, nursing, hospital attention, services, medicines, and funeral expenses, directly to injured employees or to the dependents of killed employees, provided for in the act passed February 26, 1913, approved March 14, 1913, and February 6, 1914, approved February 17, 1914, aforesaid, and from undertaking, carrying on or transacting the business of writing or making, and from writing or making, within this State, insurance to indemnify employers against loss or damage for personal injury or death resulting from accident to employees by the willful act of such employer, or any of his officers or agents, or because of the failure of such employer, his officers or agents, to observe any lawful requirement for the safety of employees.

The relator also prays for such other, further or different relief as the nature of the case may, in the judgment of the Court, require.

### CARPENTERS MAKE GAINS.

Portland, Me.—The Carpenters' Union has secured a three-years' agreement with employers. Union shop conditions are to prevail, as are shorter hours and increased wages.

### STATE UNIONISTS TO MEET.

North Yakima, Wash.—Officers of the State Federation of Labor have issued a call for the fifteenth annual convention, to be held in this city, beginning January 17.

## Williamson Heater Company

**Fair to Union Labor, Having Signed Agreements With the Steamfitters and Sheet Metal Workers.—Employers' Association Ask Council to Renew Working Agreement for Another Year.—Ed O'Connor Elected Trustee.**

The regular meeting of the Building Trades Council was called to order last Thursday evening with President Cullen in the chair.

The minutes of the previous meeting were read and adopted.

A communication from the International Union of Steam and Operative Engineers, Local 114, announcing that Neal Anderson had been elected a delegate to the Building Trades Council from their organization. Mr. Anderson was elected and later obligated.

Communication from Harmony Council No. 50, Jr. Order United American Mechanics, requesting the Building Trades Council to petition the Board of Education, asking them to name the new high school after J. H. Heberle, was received. Upon motion, the secretary was instructed to notify Harmony Council that the Building Trades Council has already taken that action.

A communication from Charles Waltz, secretary of the Building Construction Employers' Association, complimenting the Council upon the harmony between the two bodies during the last year and requesting the Council to renew the same contract for the ensuing year. Mr. Waltz also requested Council to use its good offices in settling the painters'

trouble. It was moved and adopted that the chair appoint a committee of five to take up the matter of a new contract with Mr. Waltz and that the chairman be a member of this committee.

The Chair appointed Joseph A. Cullen of the electrical workers; Philip Fischer of the steam fitters; Fred Hock of the sheet metal workers; Thos. McEwen of the iron workers; Ray Herbert of the hoisting engineers.

Attention of the Chair was called to the fact that the Council is short of one trustee, and upon motion made and seconded, Edward O'Connor of the plumbers was unanimously elected.

The proposed new working agreement with the steam fitters was read and referred to the board of business agents.

The proposed agreement of the plumbers took the same course.

Business Agent Hock reported that the Williamson Heater Company had signed agreements with the sheet metal workers and the steam fitters, making that firm fair to union labor.

Business Agent Hock's report was read and adopted.

There being no further business before the meeting, same was adjourned to the next regular meeting date.

## Street Car Men Elected

**Harry Smith the New President. Abe L. Spradling Elected to Succeed Sampson—1500 Votes Polled.**

Members of Amalgamated Association of Street and Electrical Railway Employees of America, Division 627, Thursday held their annual election in their hall at Twelfth and Walnut streets. Nearly 1,500 votes were cast. The balloting was spirited. The polls were open from 8 a. m. to 9 p. m. and all the candidates were on the job early, working ardently for their election.

While there was much interest in the entire ticket, the members were most keenly concerned with the result of the election of the executive officers. It was not until late at night when the final result was announced showing the following choices: President, Harry Smith; vice-president, John Mester; recording secretary, R. Barnes; financial secretary, Abe L. Spradling; treasurer, Dan Monihan.

The following were elected members of the Executive Board: E. Brophy, East End Division; S. McCaffrey, Hyde Park Division; J. W. Ross, Eighth Street Division; C. Boyden, Avondale Division; R. Fogle, Walnut Hills Division; W. W. Smith, Clifton-Elm Division; A. Haubrock, Vine Street Division; R. W. Lovett, Brighton Division, and George Gray, Hartwell Division. Lovett and Gray were without opposition.

### BUILDING PERMITS

Residence—Sanders, near Corry st. Architect, Max Kau, 2241 Stratford ave. Owner, Mrs. Louise Gearing, 2055 Symmes st.

Store Building—Fourth and Race sts. Owners, Browning, King & Co., W. H. Browning, president, Fifth and Race sts.; cost, \$150,000.

Sanitary Milk Plant—2519 Vine st. Architect, M. R. Carpenter, 62 Pickering Bldg. Owner, J. H. Fielman, 2517 Vine st.; cost, \$25,000.

Apartment Building—(Int. rem. from convent), Baum and Kilgour sts. Architect, Anthony Kunz, Jr., 955 W. Court st. Owner, St. Stephen's R. C. Church, Rev. E. F. Neurhrer, on premises; cost \$15,000.



A. E. SPRADLING

Secretary Street Car Men's Local.

### WOMAN WRITER LAUDS UNIONS

San Francisco.—Inez Haynes Gillmore, writer, expresses these views of the A. F. of L. convention in a local newspaper:

"It was like listening to the plans of generals of an army."

"I was truly impressed by the physical aspect of those men. They were the biggest, the most high-standing, the most straight-looking men I ever saw in my life. And they had more of the fighting spirit than all of the army and navy put together, because the army and navy are bureaucratic and fight for a position, while the A. F. of L. fights only for labor."

"I believe that the labor union is the only thing that we have that is training men to citizenship. Our schools do not do it, or colleges do not do it. But as soon as a man joins a labor union he begins his training in citizenship. The remarkable intelligence of every man in that convention as to what was going on, and their knowledge and understanding of it and all of the economic laws under it was the most impressive thing I have ever seen."

"I say this without qualification, and I go on record as saying this, that the best citizens the country has will be found among the unionists."